

# MTO - ACEC-ONTARIO EXECUTIVE COMMITTEE MEETING NOTES

**Date:** March 1, 2024  
**Time:** 10:00 am – 12:00 pm  
**Location:** MS Teams

<b>ATTENDEE</b>	<b>ACEC-ONTARIO</b>	<b>ATTENDEE</b>	<b>MTO</b>
Duane Girard (GHD)		Eric Doidge (MTO)	
Sunil Kothari (AtkinsRéalis)		Alain Beaulieu (MTO) (Chair)	
Tanya Cross (Dillon)		Kevin Boudreau (MTO)	
Steve Pilgrim (McIntosh Perry)		Michelle Pasqua (MTO)	
Doug DeRabbie (ACEC-Ontario)		Malvika Rudra (MTO)	
Andrew Hurd (ACEC-Ontario)		Bruce Cane (MTO)	
		Rebecca Li (MTO)	
		Claudette Miscione (MTO)	

## 1. INTRODUCTION / ANNOUNCEMENTS

### MTO

- Malvika Rudra, Director, Major Infrastructure Projects Branch
- Alain Beaulieu's new role as Chief Engineer
- Rebecca Li is acting Manager for Contract Management Office (replacing Kevin English)

Updated organizational chart will be shared with ACEC

### ACEC-Ontario

OPEN ITEMS	ACTION BY
<p><b>2. CONTRACT MANAGEMENT SYSTEM - UPDATE</b></p> <ul style="list-style-type: none"> <li>• For Construction, majority of functionality is fully available for use in CMS.</li> <li>• Contract completion process is now live in CMS. Some final business processes and enhancements (Release 5) are currently being finalized (e.g., claims, invoice enhancements). Helpdesk tickets have reduced substantially over the winter with several resolved tickets awaiting confirmation from the user.</li> <li>• CMS Team is currently conducting working groups with stakeholders to seek feedback and build off lessons learned for the construction functionalities in CMS. Several comments were received from ACEC-ON members. The first meeting of the working group was held February 26, 2023. Monthly meetings of this group will occur to discuss progress.</li>   <li>• For Engineering, targeting a spring release.</li> <li>• The use of CMS will be rolled out to new engineering assignments as they are issued. Final development and testing of the engineering applications is currently underway.</li> </ul> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>• ACEC indicates that there is still work to be done around the “roles”; member firm main concern is that certain tasks are being done outside the system (depends on the project) but within working group; this is adding to workload for project teams and cost over runs and delays; assistance to resolve would be appreciated</li> <li>• Roll out for Engineering assignments in Spring – can we be more specific?             <ul style="list-style-type: none"> <li>○ April/May, once the Construction component is completed – fixes that MTO is working on right now will be reflected for Engineering assignments.</li> </ul> </li> </ul> <p><b>ACTION</b></p> <ul style="list-style-type: none"> <li>• N/A</li> </ul>	

3.	<p><b>UPDATE ON THE CAPITAL PROGRAM, TENDERING ACTIVITY AND PROJECT PIPELINE</b></p> <ul style="list-style-type: none"> <li>• The Fall/Winter refresh of the 2023 OHP was published in early February, providing details on 650 projects planned or underway, and providing information for planned tendering activity for the current quarter (early tenders).</li> <li>• MTO plans to continue sharing the early tender handout at the annual ORBA convention.</li> <li>• An update on fiscal 2023/24 construction tendering activity was provided:             <ul style="list-style-type: none"> <li>○ YTD tender activity has been lower than we forecasted at the beginning of the year. MTO is now expecting to issue 75 tenders, with an estimated value of ~ \$1B.</li> <li>○ This includes 37 tenders planned to be issued this final quarter.</li> <li>○ As well, IO is also planning to issue the Garden City Skyway RFP this March. In total, a significant value of tendering activity is expected in this final quarter.</li> <li>○ MTO is also on track for fully spending its capital construction budget and looks forward to the finalization of the 24/25 budget.</li> </ul> </li> <li>• At the last meeting, there was a request related to the OHP, specifically whether MTO could flag changes since the last publication. We welcome feedback and continue to explore enhancement opportunities.             <ul style="list-style-type: none"> <li>• There are about 15 information fields for each project, and many of the fields are subject to change. Flagging all changes would be resource intensive.</li> <li>• If there are just a few key fields of interest, that may be more viable. I believe status was mentioned at our last call – is the Engineering Status the Primary area of interest?</li> </ul> </li> </ul> <p><b>ACTION:</b></p> <ul style="list-style-type: none"> <li>• <i>ACEC to identify key fields on interest, where it would be beneficial to flag that a change occurred in the OHP</i></li> <li>• The Project Pipeline list was shared in October, 2023.</li> <li>• ACEC-Ontario was notified at subcommittee meeting that, moving forward, the pipeline list will be provided to ACEC-Ontario on annual basis following the spring/summer edition of OHP (likely in mid-fall of each year).</li> <li>• Further discussions took place on January 23, 2024 at the MTO-ACEC Engineering Subcommittee meeting where MTO responded to ACEC-Ontario’s comments on pipeline list.</li> <li>• MTO agreed to some improvements to the list, such as:             <ul style="list-style-type: none"> <li>○ Anticipated future retainers and the timing of procurement</li> <li>○ Large preliminary design and EA assignments</li> </ul> </li> <li>• Due to limited resources, MTO declined some requested actions such as:             <ul style="list-style-type: none"> <li>○ Future lists should include all opportunities on the previous list with an update such as “dropped” or “awarded via retainer” or “RFP/RFQ” issued to permit firms to update their project tracking</li> <li>○ We suggest either a one or two month look-ahead update for the specific RFX that is to be released once confirmed by the department head/manager that the procurement will be proceeding</li> </ul> </li> </ul>	
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<b>OPEN ITEMS</b>	<b>ACTION BY</b>
<ul style="list-style-type: none"> <li>○ We would like to suggest that the MTO and ACEC-Ontario work together to (1) track how many procurements on the list proceeded and (2) identify any procurements that occurred that were not on the list. This could be an item that is added to the sub-committee’s workplan</li> </ul> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>• ACEC’s area of interest: they will take it away and get back to MTO; (delivery method), feedback can come through the sub-committee</li> <li>• ACEC asked if the Tender sheet distributed at ORBA will be provided on a regular basis?               <ul style="list-style-type: none"> <li>○ ORBA asked MTO to bring back the Tender sheet, although it is a bit of a redundancy because it is available online. Because it is appreciated, MTO can continue to provide it this way. MTO can consider providing updates throughout the year</li> </ul> </li> <li>• ACEC indicates that the project pipeline is more valuable</li> <li>• Although the commitment was to provide a pipeline annually in the Fall, MTO is updating the pipeline list, timing for Project Pipeline to ACEC end of March; will be posted on TCP</li> </ul> <p><b>ACTION</b></p> <ul style="list-style-type: none"> <li>• N/A</li> </ul>	

NEW ITEMS		ACTION BY
4.	<p><b>PICK 3 PROCUREMENTS</b></p> <ul style="list-style-type: none"> <li>• Detail Design Engineering Services for the Bradford Bypass West contract are being procured using a competitive invitational process.</li> <li>• This is not the ministry’s preferred approach but was necessary for this project to accelerate the work.</li> <li>• The ministry’s approach for this invitational procurement was to first develop an objective and defensible selection process and then apply the process to generate a list of firms.</li> <li>• The first step was to generate a list of consultants with the highest financial value of engineering work awarded in Central Region over the past three years as a proxy for capacity, then assess the firms’ past performance and ability to deliver projects of similar size and complexity.</li> <li>• In consideration of the significant effort required to prepare a proposal for this project, it was decided that the number of engineering design firms to be invited is limited to three.</li> <li>• The invitations have gone out to three RAQS qualified consulting firms with significant recent experience in Central Region (AECOM, Morrison Hershfield and WSP Canada).</li> <li>• Performance for the three firms selected has been confirmed to be good with a demonstrated ability to deliver projects of a similar size and complexity.</li> <li>• We welcome any feedback on the shortlisting process used in this case.</li> </ul> <p><b>Discussion</b></p> <ul style="list-style-type: none"> <li>• What could we do better in this scenario?</li> <li>• We’ve learned that the approach used did not account for partnerships that were in place or planned for this project; this should be considered in the future.</li> <li>• ACEC-Ontario has some concerns with this approach but is thankful for the transparency; it sets the stage for figuring out possible solution; not sure if looking at financial info from firms is appropriate; need greater level of info, frequency helps; perhaps set up a dedicated working group to look at ways to help accelerate procurement; jurisdictional scans, etc.</li> <li>• Pick 3 is valuable tool, need to flush out when it’s use is most appropriate</li> </ul> <p><b>ACTION</b></p> <ul style="list-style-type: none"> <li>• Alain to provide background – included in meeting notes</li> </ul>	

NEW ITEMS		ACTION BY
5.	<p><b>MECP UPDATE TO EA ACT</b></p> <ul style="list-style-type: none"> <li>• The Ministry of the Environment, Conservation and Parks (MECP) Minister approved the amended Class Environmental Assessment for Provincial Transportation Facilities (Class EA) on December 15, 2023.</li> <li>• Changes were made to the Class EA to improve process efficiencies while still providing robust environmental oversight and protection. Some of the highlights include:               <ul style="list-style-type: none"> <li>○ Exempting 30 different project types (e.g., safety, routine rehabilitation or replacement projects) in MTO’s right-of-way that have low to no environmental impacts, and provisions to screen out certain non-exempt projects if they meet prescribed criteria;</li> <li>○ Removing the requirement, the complete detailed design as part of the Class EA process; and</li> <li>○ Eliminating the requirement to prepare various study reports by requiring only one document, a Transportation Environmental Study Report (TESR).</li> </ul> </li> <li>• On February 22<sup>nd</sup>, 2024, MECP made an additional amended the Class Environmental Assessment for Provincial Transportation Facilities. The amendment includes making certain projects subject (freeways and municipal expressways) that were previously subject to the individual environmental assessment process, now subject to the streamlined process. As a result, MECP has also renamed the Class EA as “Class Environmental Assessment for Provincial Transportation Facilities and Municipal Freeways.”               <ul style="list-style-type: none"> <li>○ The process for transportation facilities outlined in the 2023 Class EA is identical to the 2024 Class EA version. This 2024 Class EA was a necessary move by MECP to support the changes to move to the comprehensive project list.</li> </ul> </li> <li>• Any questions regarding the newly amended Class EA can be sent to Environmental Services Office in Indigenous Relations and Environmental Policy Office at: <a href="mailto:MTO.ESO.Environmental@ontario.ca">MTO.ESO.Environmental@ontario.ca</a>.</li> <li>• The Environmental Services Office would also be happy to provide a presentation outlining the key changes to the Class EA if that would be of interest.</li> </ul> <p><b>Discussion</b></p> <ul style="list-style-type: none"> <li>• Does ACEC-Ontario need more supports for new Class EA?               <ul style="list-style-type: none"> <li>○ Anything MTO can provide would be appreciated</li> <li>○ Virtual session with Q&amp;A at the end;</li> </ul> </li> <li>• Posting on ERO – ACEC-Ontario taking a look at it will keep MTO posted on any comments they have; ACEC-Ontario asked if MTO has any concerns?               <ul style="list-style-type: none"> <li>○ No concerns from MTO - we’ve been advocating for the change</li> </ul> </li> </ul> <p><b>ACTION</b></p> <ul style="list-style-type: none"> <li>• Alain will relay the request for a virtual session/Q&amp;A to MTO Indigenous Relations and Environmental Policy Branch</li> </ul>	

NEW ITEMS		ACTION BY
6.	<p><b>ACEC-ONTARIO'S WEBINAR R. V. GREATER SUDBURY – IMPLICATIONS FOR CONSULTING ENGINEERS/MTO STRATEGY</b></p> <ul style="list-style-type: none"> <li>• Could this be extended to MTO staff?</li> <li>• MTO Strategy – defer discussion to next meeting as MTO Legal has advised that they are waiting the lower court to review the case before providing further advise. We would have limited or nothing to offer at this time. It may be better to defer to next meeting.</li> </ul> <p>Discussion</p> <ul style="list-style-type: none"> <li>• DCN has posted an article about ACEC webinar today (link posted on chat) <a href="https://www.constructconnect.com/news/consulting-engineers-urged-to-develop-new-duty-of-care-following-r-v-sudbury">Consulting engineers urged to develop new 'duty of care' following R. v. Sudbury (constructconnect.com)</a></li> <li>• Article provides good overview;</li> </ul> <p><b>ACTION</b></p> <ul style="list-style-type: none"> <li>• ACEC-Ontario will share the deck;</li> <li>• MTO examining our position for our it'll impact us</li> </ul>	

NEW ITEMS		ACTION BY
7.	<p><b>UPDATE ON THE TRANSFER OF GARDINER EXPRESSWAY AND DON VALLEY PARKWAY FROM THE CITY OF TORONTO</b></p> <ul style="list-style-type: none"> <li>• Update on the plan that was announced by the Premier and Mayor Olivia Chow in November, which is intended to support the City of Toronto in achieving long-term financial stability and sustainability:               <ul style="list-style-type: none"> <li>○ The deal that was agreed to includes, subject to due diligence, <a href="#">uploading</a> the Don Valley Parkway and the Gardiner Expressway to the province.</li> <li>○ Creation of a dedicated Toronto Expressways Secretariat within the Ministry of Transportation to lead this work. The Secretariat was established in February 2024 and has been tasked with:                   <ul style="list-style-type: none"> <li>○ leading the due diligence exercise with extensive input and collaboration with all partners across governments and other key partners; and</li> <li>○ laying out a roadmap for the complex exercise of the upload and proposed integration of the expressways into the provincial portfolio.</li> </ul> </li> <li>○ Megan Chochla will lead this dedicated and multi-disciplinary team as Director, Toronto Expressways Secretariat. The team will bring together engineering, operational, financial, and policy expertise, both internal and external to government, to establish the roadmap that will provide for the seamless integration of the expressways into the provincial portfolio.</li> </ul> </li> <li>• ACEC-Ontario to continue to work through regular channels at MTO, and the MTO directors will engage the secretariat as needed.</li> </ul> <p><b>Discussion</b></p> <ul style="list-style-type: none"> <li>• RFP for Management Consulting Assignment mid to late March</li> <li>• Still ongoing procurement from City of Toronto; how is this being handled?               <ul style="list-style-type: none"> <li>○ Toronto is continuing with their plans; setting up a data sharing room to see what their plans were, etc. Working through some issues (for procurements that go beyond timeframe)</li> </ul> </li> </ul> <p><b>ACTION</b></p> <ul style="list-style-type: none"> <li>• N/A</li> </ul>	



<p>8.</p>	<p><b>STATUS UPDATE ON BIG PROJECTS THAT WERE PREVIOUSLY IDENTIFIED AS PRIORITIES BUT HAVE BEEN PAUSED (HWY 7, HWY 17, ETC.).</b></p> <ul style="list-style-type: none"> <li>• Highway 7:             <ul style="list-style-type: none"> <li>○ Recent announcement that we are advancing construction on the Frederick Street bridge in Kitchener -- marking a milestone in our plan to widen Highway 7 between Kitchener and Guelph.</li> <li>○ The replacement of the Frederick Street bridge is part of the third phase of building the new Highway 7. The first step in the construction of the Frederick Street underpass is the utility relocations which are expected to begin later this year. Construction is scheduled to be complete by the end of 2026.</li> <li>○ In addition to the new Frederick St. bridge, some of the environmental fieldwork, foundation investigations, and other engineering work to support construction of the new alignment is underway. Wherever possible, this work is completed concurrently.</li> <li>○ The engineering design for Phase 2, the two bridges across the Grand River, is expected to be complete as early as late 2024. Design and Construction Report (DCR) was published Sept 27, 2023, for 30-day comment period.                 <ul style="list-style-type: none"> <li>▪ An advanced clearing and grading project to complete investigations for the foundation design has been tendered and work is expected to begin in 2024</li> </ul> </li> <li>○ Design for the connection of the Hanlon Expressway (Highway 6) to the new highway, Guelph Junction Railway modifications and species at risk habitat work is also underway. Work on additional Phase 3 projects continues and (remainder) requires additional approvals including funding are required.</li> <li>○ Phase 3 includes the design for the connection of the Hanlon Expressway (Highway 6) to the new highway, and Guelph Junction Railway modifications are also underway. A species at risk (bat) habitat enhancement contract will be awarded in early 2024.</li> <li>○ Indigenous consultation is ongoing. The last meeting was December 5, 2023, with the Six Nations of the Grand River elected council. Department of Fisheries and Oceans staff attended the meeting which focussed on compensation. The location of the planned Grand River Bridges was discussed as well. The request for an accommodation agreement for financial compensation is still under review.</li> </ul> </li> <li>• Highway 17 (Arnprior to Renfrew):             <ul style="list-style-type: none"> <li>○ Stage 1 of the future widening of Highway 17 was completed in November 2023, when a new bridge and interchange at Calabogie Road opened to traffic.</li> <li>○ The new interchange is one of four that will be constructed as part of the widening of 22.5 kilometres of Highway 17 from two lanes to four from Scheel Drive to three kilometres west of Bruce Street.</li> <li>○ Stage 2 will include highway widening from two lanes to four and three new interchanges, from Scheel Drive in the Township of McNab/Braeside to three km west of Bruce Street in Horton Township. Construction start has not yet been determined.                 <ul style="list-style-type: none"> <li>▪ The ministry continues to work with property owners, municipalities, the OPP, and Indigenous communities to identify and mitigate any potential project impacts.</li> </ul> </li> </ul> </li> </ul>	
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<b>NEW ITEMS</b>		<b>ACTION BY</b>
	<p>Discussion</p> <ul style="list-style-type: none"> <li>• ACEC-Ontario asked about the Bradford Bypass delivery of remaining portion                             <ul style="list-style-type: none"> <li>○ Further discussions needed; analysis on market sounding, focussing on getting best model; maybe mixed models but too early to say; this info is crucial for when engineering companies create partnerships etc.</li> </ul> </li> </ul> <p><b>ACTION</b></p> <ul style="list-style-type: none"> <li>• N/A</li> </ul>	
<b>9.</b>	<p><b>ACEC-ONTARIO'S 2024 PRE-BUDGET SUBMISSION (RELEASED EARLY FEBRUARY)</b></p> <ul style="list-style-type: none"> <li>• ACEC-Ontario presented an overview</li> <li>• ACEC-Ontario is having an introductory meeting with the Minister later in March.</li> </ul> <p>Discussion</p> <ul style="list-style-type: none"> <li>• N/A</li> </ul> <p><b>ACTION</b></p> <ul style="list-style-type: none"> <li>• N/A</li> </ul>	

<b>INFORMATION SHARED FOR THIS MEETING</b>		
<b>Document Title</b>	<b>Shared By</b>	<b>Format</b>
MTO Capital Program Update	MTO	Powerpoint
Slide deck from ACEC-Ontario's webinar R. V. GREATER SUDBURY – IMPLICATIONS FOR CONSULTING ENGINEERS/MTO STRATEGY(SCC ruling)	ACEC-Ontario	PDF
<b>MTO Organizational Chart</b>	<b>MTO</b>	<b>PDF</b>
Pick 3 Procurement - Background	MTO	Included in meeting notes

<b>NEXT MEETING</b>
<ul style="list-style-type: none"> <li>• June 11, 2024</li> </ul>